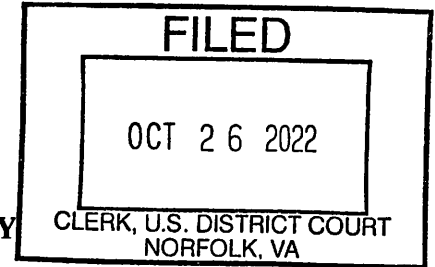


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION – IN ADMIRALTY



CAPE CHARLES MARINE SERVICES, INC.,)

Plaintiff,)

v.)

Case No. 2:22-cv-446

M/Y BRIAR PATCH (Hull Number CDRN9021L293))
and her engines, tackle, apparel, furnishings and)
appurtenances, etc., *in rem*,)

ORDER APPOINTING
SUBSTITUTE CUSTODIAN

and)

KEITH UNDERHILL)
in personam,)

Defendants.)
)
)
)
)

THIS CAUSE came before this Court upon the Motion of the Plaintiff, Cape Charles Marine Service, Inc. ("CCMS") for Appointment of a Substitute Custodian for M/Y BRIAR PATCH. The Court having reviewed CCMS's Motion and Memorandum in Support and being otherwise duly advised in the premises, it is:

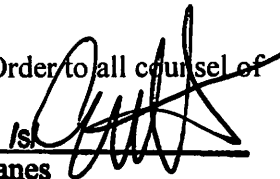
ORDERED that the United States Marshal for the Eastern District of Virginia, be, and is, hereby authorized and directed forthwith to surrender the possession of the M/Y BRIAR PATCH (Hull Number CDRN9021L293), her engines, tackle, apparel, furnishings and appurtenances to the Substitute Custodian, Cape Charles Marine Services, Inc., and that upon such surrender the Marshal be discharged from its duties and responsibilities for the safekeeping of said vessel and held harmless from any and all claims arising whatsoever out of the said substituted possession and safekeeping; it is further

ORDERED that Cape Charles Marine Services, Inc. be, and hereby is, appointed Substitute Custodian of the M/Y BRIAR PATCH to retain the same in its custody and control for safekeeping; and it is further

ORDERED that all expenses incurred by the Substitute Custodian for the storage, safekeeping, and preservation of the M/Y BRIAR PATCH shall be deemed *in custodia legis* expenses of the Marshal.

ENTERED this 26 day of October, 2022.

The Clerk is directed to provide certified copies of this Order to all counsel of record.



Elizabeth W. Hanes
United States District Judge

Judge, United States District Court

WE ASK FOR THIS:

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